

STATE OF CONNECTICUT :
V. :
CITY OF BRIDGEPORT :

ORDER

A. The Commissioner of Energy and Environmental Protection ("the Commissioner") finds:

1. The City of Bridgeport ("the Municipality") owns and operates a sanitary sewerage system, including a sewage treatment facility and discharges treated sanitary sewage under the terms and conditions of National Pollutant Discharge Elimination System (NPDES) Permit No. CT0101010 (East Side) and NPDES Wastewater Discharge Permit No. CT0100056 (West Side).
2. The Municipality maintains a sewerage system, which includes two activated sludge wastewater treatment plants. The East Side Plant has an annual average design flow capacity of 10 million gallons per day (mgd) and the West Side Plant has an annual average design flow capacity of 30 mgd. Both treatment plants serve a sewerage system which includes sewer that convey both stormwater and sanitary sewage ("combined sewers"). All wet weather flows in excess of secondary treatment capacity receive primary treatment before being blended with secondary effluent followed by disinfection with chlorine. The peak secondary treatment capacity of the East Side Plant is 24 mgd and the West Side Plant is 58 mgd.
3. The East Side and West Side plants completed nitrogen removal upgrades in the early 1990s and partial mechanical refurbishments between 1993 and 2001. These upgrades have exceed their design life leading to increased risk of equipment failure and effluent violations.
4. DEEP Order No. WC5498 issued March 20, 2009, required both plants to automate the chlorination and dechlorination systems. Both plants continue to operate chlorination and dechlorination systems manually.
5. On February 3, 2012, the Respondent submitted for the Commissioner's review and approval the Report entitled *Bridgeport Sludge Processing Systems Evaluation*. The Report was approved on April 3, 2018.
6. On November 21, 2013, the Respondent submitted for the Commissioner's Review and Approval the Report entitled *Bridgeport WPCA Low Level Nitrogen Removal Study*. The Report was approved in March 2, 2018.

7. On October 24, 2017, during a major storm event, the Bridgeport West Side Plant experienced screen failures resulting in floatables and debris not being removed from the influent. The bypass screen was repaired and the main screen was replaced. On January 17, 2018, Bridgeport reported that the West Side Plant main influent bar screen was out of service for scheduled repair/maintenance and not put back online until April 23, 2018.
8. On April 24, 2018, the Bridgeport West Side Plant reported an NPDES permit violation of the maximum daily limit for BOD5. On April 25, 2018, the Bridgeport West Side Plant reported an NPDES permit violation of the maximum daily limit and two times the limit for total suspended solids. The report listed out of service sludge collectors on one of the clarifier tanks, storm events and the main sewer trunks leading to the plant undergoing cleaning during the period as contributing factors.
9. During the June 6 and 8, 2018 inspection of the Bridgeport East Side Plant, it was noted that numerous equipment were out of service awaiting repair.
10. The Reports referenced in paragraphs A.5 and A.6 identify and include recommendations to upgrade the treatment plants to provide added reliability and additional pollutant removal. Action to design and construct such upgrades have not been made. Major long term recommendations include:
 - a. West Side recommended improvements include adding computerized SCADA control of the biosolids process, adding odor control units, replacing the existing pumps, adding new sludge storage tanks, adding dewatering units, and anticipates a future additional drying building with dryers and possible energy recovery system. East Side recommended improvements include adding computerized SCADA control of the biosolids process, replacing existing pumps, adding a new scum handling system, replacing the existing sludge handling facility thickening equipment, adding new sludge storage tanks, building a truck bay, and a long term goal of shipping sludge to the West Side for final drying.
 - b. The Nitrogen removal study long term plans for both the East and West Side Plants include enhanced nitrogen removal through the use of motor operated sluice gates at step feed points in the aeration basins. The installation of concrete baffles should be used to create an anoxic zone at the head of each pass of the basins with a top mounted mixer for each anoxic zone. In addition, new mixed liquor suspended solids (MLSS) recycle pumps are to be installed. Monitoring and control equipment for the aeration system, blowers, and sluice gates are recommended.
11. By virtue of the above, the Municipality is maintaining facilities or conditions that can reasonably be expected to create a source of pollution to the waters of the state.

B. The Commissioner, acting under §22a-6§22a-424, §22a-425, §22a-427, §22a-428, §22a-430, and §22a-431 of the Connecticut General Statutes, orders the Municipality as follows:

1.
 - a. On or before August 31, 2019, the Municipality shall retain one or more qualified consultants acceptable to the Commissioner until this order is fully complied with, and, within ten days after retaining any consultant other than the one identified in this paragraph, the Municipality shall notify the Commissioner in writing of the identity of such other consultant. The consultant(s) retained shall be a qualified professional engineer licensed to practice in Connecticut and shall be acceptable to the Commissioner. The Municipality shall submit to the Commissioner a description of a consultant's education, experience and training which is relevant to the work required by this order within ten days after a request for such a description. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.
 - b. On or before November 30, 2020, a Facilities Planning Report shall be submitted for the Commissioner's review and approval. The Facilities report shall contain an assessment of critical components at the treatment plants, and include recommendations including a schedule to complete suggested upgrades to the treatment plants. The Respondent shall incorporate recommendations from the reports referenced in paragraphs A.5 and A.6.
 - c. On or before May 31, 2022, 100% design plans and specifications shall be submitted to the Commissioner for review and approval incorporating upgrades recommended by the Reports referenced in A.5 and A.6.
 - d. The Municipality shall begin construction of the approved remedial actions in accordance with the approved schedule, but in no event shall the approved remedial actions be begun later than 1644 calendar days from the effective date of this Order.
 - e. The Municipality shall complete construction of the approved remedial actions in accordance with the approved schedule, but in no event shall the approved remedial actions be completed later than 2739 calendar days after the effective date of this Order. Within fifteen days after completing such actions, the Municipality shall certify to the Commissioner in writing that the actions have been completed as approved.
2. Progress reports: On or before the last day of June, and December of each year after issuance of this order, and continuing until all actions required by this order have been completed as approved and to the Commissioner's satisfaction, the Municipality shall submit a progress report to the Commissioner describing the actions which Municipality has taken to date to comply with this order.

3. Full compliance. The Municipality shall not be considered in full compliance with this order until all actions required by this order have been completed as approved and to the Commissioner's satisfaction.
4. Approvals. The Respondent shall use best efforts to submit to the Commissioner all documents required by this order in a complete and approvable form. If the Commissioner notifies Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and the Respondent shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within 30 days of the Commissioner's notice of deficiencies. In approving any document or other action under this order, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this order. Nothing in this paragraph shall excuse noncompliance or delay.
5. Definitions. As used in this order, "Commissioner" means the Commissioner or a representative of the Commissioner.
6. Dates. The date of "issuance" of this order is the date the order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of submission to the Commissioner of any document required by this order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this order, the word "day" as used in this order means calendar day. Any document or action which is required by this order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.
7. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this order shall be signed by a principal executive officer or ranking elected official or duly authorized representative of such person, as those terms are defined in §22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual(s) responsible for actually preparing such document, and each such individual shall certify in writing as follows:

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law."

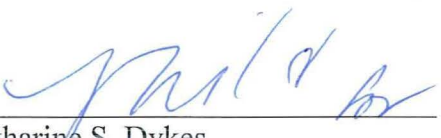
8. Noncompliance. This order is a final order of the Commissioner with respect to the matters addressed herein, and is nonappealable and immediately enforceable. Failure to comply with this order may subject the Respondent to an injunction and penalties under Chapters 439, and 445 or 446k of the Connecticut General Statutes.
9. False statements. Any false statement in any information submitted pursuant to this order may be punishable as a criminal offense under §22a-438 or 22a-131a of the Connecticut General Statutes or, in accordance with §22a-6, under Section 53a-157 of the Connecticut General Statutes and any other applicable law.
10. Notice of transfer; liability of the Respondent and others. Until the Respondent has fully complied with this order, the Respondent shall notify the Commissioner in writing no later than 15 days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this order or after obtaining a new mailing or location address. The Respondent's obligations under this order shall not be affected by the passage of title to any property to any other person or Respondent.
11. Commissioner's powers. Nothing in this order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for past, present, or future violations of law, including but not limited to violations of any permit issued by the Commissioner. If at any time the Commissioner determines that the actions taken by the Respondent pursuant to this order have not successfully corrected all violations, fully characterized the extent or degree of any pollution, or successfully abated or prevented pollution, the Commissioner may institute any proceeding to require Respondent to undertake further investigation or further action to prevent or abate violations or pollution.
12. The Respondent's obligations under law. Nothing in this order shall relieve Respondent of other obligations under applicable federal, state and local law.
13. No assurance by Commissioner. No provision of this order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by Respondent pursuant to this order will result in compliance or prevent or abate pollution.
14. Access to site. Any representative of the Department of Energy and Environmental Protection may enter any sewage facility without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this order.
15. No effect on rights of other persons. This order neither creates nor affects any rights of persons or municipalities that are not parties to this order.
16. Notice to Commissioner of changes. Within 15 days of the date Respondent becomes aware of a change in any information submitted to the Commissioner under this order,

or that any such information was inaccurate or misleading or that any relevant information was omitted, Respondent shall submit the correct or omitted information to the Commissioner.

17. Notification of noncompliance. In the event that Respondent becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this order or of any document required hereunder, Respondent shall immediately notify by telephone the individual identified in the next paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the initial notice, Respondent shall submit in writing the date, time, and duration of the noncompliance and the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
18. Submission of documents. Any document required to be submitted to the Commissioner under this order shall, unless otherwise specified in this order or in writing by the Commissioner, be submitted in an electronic format to:

Catharine Chu, Sanitary Engineer 2
Department of Energy and Environmental Protection
Bureau of Water Protection and Land Reuse
Water Planning & Management Division
79 Elm Street
Hartford, Connecticut 06106-5127
E-mail: catharine.chu@ct.gov

Issued as a final order of the Commissioner of Energy and Environmental Protection.


Katharine S. Dykes
Acting Commissioner

AOWRMU19001


Date



March 1, 2019

Mayor Joseph P. Ganim,
City of Bridgeport
999 Broad Street
Bridgeport, CT 06604

Re: Administrative Order #WRMU19001

Honorable Mayor Ganim:

In line with recent discussions with City of Bridgeport staff, please find attached one original of Administrative Order #WRMU19001 for your use to finalize this enforcement action.

The Department of Energy and Environmental Protection ("DEEP") appreciates your cooperation in settling this matter.

If you have any questions, please contact Catharine Chu at (860) 424-3342 or catharine.chu@ct.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "for Denise Ruzicka", is written over the typed name.

Denise Ruzicka
Director
Water Planning and Management Division
Bureau of Water Protection and Land Reuse

E-Copies w/Attachment: Lauren Mappa, General Manager
Katharine S. Dykes, DEEP Commissioner
Betsey Wingfield, WPLR Bureau Chief

Attachment: Administrative Order #WRMU19001

